

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

SHERELLE MARIE FITCH,
Petitioner,

v.

NEAL JONES FITCH,
Respondent.

CASE NO. C15-5233 BHS

ORDER GRANTING IN PART
AND RESERVING RULING IN
PART ON PETITIONER'S
MOTION FOR EXPEDITED
HEARING

This matter comes before the Court on Petitioner Sherelle Marie Fitch's motion for expedited hearing (Dkt. 4) and the verified complaint (Dkt. 2).

On March 14, 2015, Mrs. Fitch filed the verified complaint alleging that Respondent Neal Jones Fitch is unlawfully retaining their child in Tacoma, Washington in violation of the Hague Convention and an order issued from a German court. Dkt. 2. On April 15, 2015, Mrs. Fitch filed the instant motion for an expedited hearing requesting numerous types of relief, including the Court to issue an order for Mr. Fitch to show cause why the child should not be immediately returned to Germany. Dkt. 4. Upon review of the motion, the complaint, and the remainder of the record, the Court finds that

1 Mrs. Fitch has laid out a prima facie case under the Hague Convention and that the status
2 quo should be maintained pending a hearing on this matter. Therefore, the Court grants
3 the motion in part and reserves ruling in part as follows:

- 4 1. Respondent Neal Jones Fitch is hereby prohibited from removing Petitioner
5 and Respondent's minor child, B. M. Fitch, from the jurisdiction of this Court
6 pending a hearing on the merits of preliminary relief, and no person acting in
7 concert or participating with Respondent shall take any action to remove the
8 child from the jurisdiction of this Court pending a determination on the merits
9 of preliminary relief;
- 10 2. A hearing on the merits of preliminary relief is hereby scheduled to be held on
11 April 24th, 2015, at 11:00 a.m. in Courtroom E of this Court; and
- 12 3. Petitioner shall inform Respondent of the date and time of the hearing and
13 provide proof that Respondent was so informed.

14 **IT IS SO ORDERED.**

15 Dated this 15th day of April, 2015.

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18 BENJAMIN H. SETTLE
United States District Judge